

Adopted	Rejected
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COMMITTEE REPORT

YES:	13
NO:	0

MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1077, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, between lines 12 and 13, begin a new paragraph and insert:
- 2 "SECTION 2. IC 35-46-3-11.5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11.5. (a) As used in this
- 4 section, "service animal" means an animal that a person who is
- 5 impaired by:
- 6 (1) blindness or any other visual impairment;
- 7 (2) deafness or any other aural impairment;
- 8 (3) a physical disability; or
- 9 (4) a medical condition;
- 10 relies on for navigation, assistance in performing daily activities, or
- 11 alert signals regarding the onset of the person's medical condition.
- 12 (b) A person who knowingly or intentionally:
- 13 (1) interferes with the actions of a service animal; or
- 14 (2) strikes, torments, injures, or otherwise mistreats a service
- 15 animal;

- 1 while the service animal is engaged in assisting an impaired person
 2 described in subsection (a) commits a Class A ~~infraction~~
 3 **misdemeanor.**
 4 (c) **An offense under subsection (b)(2) is a Class D felony if the**
 5 **act results in the:**
 6 (1) **serious permanent disfigurement;**
 7 (2) **unconsciousness;**
 8 (3) **permanent or protracted loss or impairment of the**
 9 **function of a bodily member or organ; or**
 10 (4) **death;**
 11 **of the service animal.**
 12 (d) It is a defense that the accused person:
 13 (1) engaged in a reasonable act of training, handling, or
 14 disciplining the service animal; or
 15 (2) reasonably believed the conduct was necessary to prevent
 16 injury to the accused person or another person."
 17 Page 2, line 13, delete "IC 35-46-3-11," and insert "**IC 35-46-3-11**
 18 **and IC 35-46-3-11.5, both**".
 19 Page 2, line 14, delete "applies" and insert "**apply only**".
 20 Page 2, line 15, delete "1993." and insert "**2003.**"
 21 Renumber all SECTIONS consecutively.
 (Reference is to HB 1077 as introduced.)

and when so amended that said bill do pass.

Representative Weinzapfel